

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
V.	§	CRIMINAL NO. H-10-459
	§	
WILMAR RENE DURAN-GOMEZ	§	
(aka “El Gordo”) and	§	
	§	
EFRAIN RODRIGUEZ-MENDOZA,	§	
(aka “Vicente Garduno”)	§	

**UNOPPOSED JOINT MOTION TO RESET STATUS CONFERENCE**

TO THE HONORABLE KENNETH M. HOYT, U.S. DISTRICT JUDGE:

Wilmar Rene Duran-Gomez and Efrain Rodriguez-Mendoza, by and through their attorneys of record, respectfully request that the status conference be reset from January 23, 2018 to February 26, 2018; or to later date convenient to the Court, for the following reasons:

1. The government notified defense counsel and the Court, on January 10, 2018, of a substantial change in the case. The parties agreed to request additional time to discuss, prepare and present an Amended Scheduling Order. The Court kindly postponed the Status Conference from January 17, 2018 to January 23, 2018.

2. The parties have conferred by telephone and email, but the federal holiday on January 15, and the unusual inclement weather on January 16-17 (which closed much of the city of Houston) delayed progress, as did obligations to clients in other federal and state cases, including preparing for contested hearings and trial settings.

3. The attorneys need additional time to agree on what dates are realistic and practical for future proceedings.

4. The attorneys for the defendants and the government have agreed that February 26, 2018 is an available day for a status conference, if that is agreeable to the Court, and that a reset to February 26 should allow sufficient time to agree on a new Scheduling Order.

5. The Defendants waive any rights to a speedy trial that might exist but for the filing of this Motion.

6. The government agrees to this request for a status conference on February 26, 2018; or a later date that is convenient to the Court.

Respectfully submitted,

/s/ Edward Mallett

Edward Mallett

Texas State Bar 1286300

Federal Bar 442

Mallett Saper, LLP

4306 Yoakum Blvd., Suite 400

Houston, Texas 77006

Tel: (713) 236-1900

Facsimile: (713) 228-0321

[edward@msblawyers.com](mailto:edward@msblawyers.com)

/S/ David Adler

David Adler  
Texas State Bar 00923150  
Federal Bar 17942  
6750 West Loop S., Suite 120  
Bellaire, Texas 77401  
Tel: (713) 666-7576  
davidadler1@hotmail.com

Attorneys for Defendant  
Efrain Rodriguez-Mendoza

/S/ Wendell A. Odom, Jr.

Wendell A. Odom, Jr.  
Texas State Bar 15208500  
Federal Bar 0947  
440 Louisiana Street, Suite 200  
Houston, Texas 77002  
Tel: (713) 223-5575  
Fax: (713) 224-2815

/S/ Neal Davis, III

Neal Davis, III  
Texas State Bar 24038541  
Federal Bar 706329  
440 Louisiana Street, Suite 200  
Houston, Texas 77002  
Tel: (713) 223-5575  
Fax: (713) 224-2815

Attorneys for Defendant  
Wilmar Rene Duran-Gomez

**CERTIFICATE OF CONFERENCE**

I have communicated with Jill Stotts, Assistant United States Attorney, David Adler, and counsel for co-defendant Wilmar Duran-Gomez, and they are not opposed to this Motion.

/S/ Edward Mallett  
Edward Mallett

**CERTIFICATE OF SERVICE**

I hereby certify that on the 19<sup>th</sup> day of January 2018, I electronically filed the foregoing Motion with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

1. Jill Stotts  
Assistant United States Attorney
2. David Adler  
Attorney for Efrain Rodriguez-Mendoza
3. Wendell A. Odom, Jr.  
Attorney for Defendant Wilmar Rene Duran-Gomez
4. Neal Davis, III  
Attorney for Defendant Wilmar Rene Duran-Gomez

/S/ Edward Mallett  
Edward Mallett